

GREBEN & ASSOCIATES

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Jan A. Greben, State Bar No. 103464
Jenna L. Motola, State Bar No. 246738
Attorneys for Plaintiff Wells Fargo Bank, N.A.,
as Trustee of the Clara Poppic Trust

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

WELLS FARGO BANK, N.A., as TRUSTEE
for the CLARA POPPIC TRUST,

Plaintiff,

vs.

KENNETH G. RENZ; ESTATE OF
JACKSON R. DENNISON; ESTATE OF
WILEY UMSTEAD; KAZUKO UMSTEAD;
WON JAE YI aka MICHAEL YI; NAN Y.
PARK; GUAN HUANG; YING ZHANG and
SUI SONG,

Defendants.

Case No. CV 08 2561 SBA

COMPLAINT FILED: 5/21/08
TRIAL DATE: None Set

**DECLARATION OF JENNA L.
MOTOLA, ESQ. IN SUPPORT OF
REQUEST TO ENTER DEFAULT OF
YING ZHANG**

I, Jenna L. Motola, declare:

1. I am an attorney at law, duly licensed to practice before each superior court in the state of California and admitted to practice in the Northern District of California, and am an associate attorney with Greben & Associates, attorneys of record for Plaintiff Wells Fargo Bank, N.A., as Trustee of the Clara Poppic Trust. I make this declaration based upon my own personal knowledge. If called to testify, I could and would competently testify to each matter set forth herein.

2. Attached as Exhibit "A" and incorporated herein by this reference is a copy of the Proof of Service of Summons for Ying Zhang filed on July 10, 2008.

1 3. On July 11, 2008, Plaintiff and Ying Zhang stipulated to extend Ying Zhang's
2 time to respond up to and including July 24, 2008. Attached hereto as Exhibit "B" and
3 incorporated herein by this reference is a copy of the Stipulation to Extend the Time for
4 Defendant Ying Zhang to Respond to First Amended Complaint; Order signed by Judge Chen
5 on July 11, 2008.

6 4. On July 28, 2008, I sent a letter to Ying Zhang. Attached hereto as Exhibit "C"
7 and incorporated herein by this reference is a copy of this letter.

8 5. As of today's date, no responsive pleading has been filed by Ying Zhang.

9 6. Upon information and belief, Ying Zhang is neither a minor nor an incompetent.
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11 I declare under penalty of perjury under the laws of the United States that the foregoing is
12 true and correct. Executed on August 7, 2008, in Santa Barbara, California.

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JENNA L. MOTOLA

EXHIBIT “A”

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address) GREBEN & ASSOCIATES Jan A. Greben, (SBN: 103464) 1332 ANACAPA STREET, SUITE 110 Santa Barbara, CA 93101 TELEPHONE NO.: (805) 963-9090 FAX NO. (Optional): (805) 963-9098 E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):		FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: 450 Golden Gate Avenue MAILING ADDRESS: CITY AND ZIP CODE: San Francisco, CA 94102 BRANCH NAME: Northern		
PLAINTIFF/PETITIONER: WELLS FARGO BANK, N.A., as Trustee for the Clara Poppic Trust DEFENDANT/RESPONDENT: KENNETH G. RENZ JACKSON R. et al		CASE NUMBER: CV 08 2561 EMC
PROOF OF SERVICE OF SUMMONS		Ref. No. or File No.: POPPIC TRUST

(Separate proof of service is required for each party served.)

1. At the time of service I was at least 18 years of age and not a party to this action.
 2. I served copies of:

- a. ☐ summons
 b. ☐ complaint
 c. ☐ Alternative Dispute Resolution (ADR) package
 d. ☐ Civil Case Cover Sheet (served in complex cases only)
 e. ☐ cross-complaint
 f. ☒ other (specify documents): **First Amended Summons; First Amended Complaint; Civil Case Cover Sheet; All Standing Orders; ECF Information Sheet; Notice of Case Assignment to a Magistrate Judge; Court Information;**

3. a. Party served (specify name of party as shown on documents served):
YING ZHANG

- b. ☐ Person (other than the party in item 3a) served on behalf of an entity or as an authorized agent (and not a person under item 5b on whom substituted service was made) (specify name and relationship of party named in item 3a):

4. Address where the party was served: **213 BRUSH STREET
 ALAMEDA, CA 94501**

5. I served the party (check proper box)

- a. ☒ **by personal service.** I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on (date): **07/02/2008** (2) at (time): **06:05 pm**
 b. ☐ **by substituted service.** On (date): at (time): I left the documents listed in item 2 with or in the presence of (name and title or relationship to person indicated in item 3b):

- (1) ☐ **(business)** a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.
 (2) ☐ **(home)** a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the party. I informed him or her of the general nature of the papers.
 (3) ☐ **(physical address unknown)** a person at least 18 years of age apparently in charge at the usual mailing address of the person to be served, other than a United States Postal Service post office box. I informed him or her of the general nature of the papers.
 (4) ☐ I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served at the place where the copies were left (Code Civ. Proc., §415.20). I mailed the documents on (date): from (city): or ☐ a declaration of mailing is attached.
 (5) ☐ I attach a **declaration of diligence** stating actions taken first to attempt personal service.

PLAINTIFF/PETITIONER: WELLS FARGO BANK, N.A., as Trustee for the Clara Poppic Trust	CASE NUMBER:
DEFENDANT/RESPONDENT: KENNETH G. RENZ JACKSON R. et al	CV 08 2561 EMC

- c. ☐ by mail and acknowledgment of receipt of service. I mailed the documents listed in item 2 to the party, to the address shown in item 4, by first-class mail, postage prepaid,
- (1) on (date): (2) from (city):
- (3) ☐ with two copies of the *Notice and Acknowledgment of Receipt* and a postage-paid return envelope addressed to me. (Attach completed *Notice and Acknowledgment of Receipt*.) (Code Civ. Proc., § 415.30.)
- (4) ☐ to an address outside California with return receipt requested. (Code Civ. Proc., § 415.40.)
- d. ☐ by other means (specify means of service and authorizing code section):

☐ Additional page describing service is attached.

6. The "Notice to the Person Served" (on the summons) was completed as follows:

- a. ☒ as an individual defendant.
- b. ☐ as the person sued under the fictitious name of (specify):
- c. ☐ as occupant.
- d. ☐ On behalf of (specify):

under the following Code of Civil Procedure section:

- | | |
|---|---|
| <input type="checkbox"/> 416.10 (corporation) | <input type="checkbox"/> 415.95 (business organization, form unknown) |
| <input type="checkbox"/> 416.20 (defunct corporation) | <input type="checkbox"/> 416.60 (minor) |
| <input type="checkbox"/> 416.30 (joint stock company/association) | <input type="checkbox"/> 416.70 (ward or conservatee) |
| <input type="checkbox"/> 416.40 (association or partnership) | <input type="checkbox"/> 416.90 (authorized person) |
| <input type="checkbox"/> 416.50 (public entity) | <input type="checkbox"/> 415.46 (occupant) |
| | <input type="checkbox"/> other: |

7. Person who served papers

- a. Name: **Granville Smith**
- b. Address: **55 Santa Clara Ave., Suite 120 Oakland, CA 94610**
- c. Telephone number: **(510) 419-3940**
- d. The fee for service was: **\$ 40.00**
- e. I am:

- (1) ☐ not a registered California process server.
- (2) ☐ exempt from registration under Business and Professions Code section 22350(b).
- (3) ☒ registered California process server:
- (i) ☐ owner ☐ employee ☒ independent contractor.
- (ii) Registration No.: **1014**
- (iii) County: **Alameda**

8. ☒ I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

or

9. ☐ I am a California sheriff or marshal and I certify that the foregoing is true and correct.

Date: **07/07/2008**

Interceptor Legal Support Service, Inc
55 Santa Clara Ave., Suite 120
Oakland, CA 94610
(510) 419-3940

Granville Smith

(NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHAL)



(SIGNATURE)

EXHIBIT “B”

GREBEN & ASSOCIATES

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SANTA BARBARA, CA 93101
TELEPHONE: (805) 963-9090
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as Trustee of the Clara Poppic Trust

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

WELLS FARGO BANK, N.A., as TRUSTEE
for the CLARA POPPIC TRUST,

Plaintiff,

vs.

KENNETH G. RENZ; JACKSON R.
DENNISON; WILEY UMSTEAD;
KAZUKO UMSTEAD; WON JAE YI aka
MICHAEL YI; NAN Y. PARK; GUAN
HUANG; YING ZHANG and SUI SONG,

Defendants.

Case No. C 3:08-CV-2561-EMC

COMPLAINT FILED: 05/21/08
TRIAL DATE: None Set

**STIPULATION TO EXTEND THE TIME
FOR DEFENDANT YING ZHANG TO
RESPOND TO FIRST AMENDED
COMPLAINT ; ORDER**

Plaintiff, Wells Fargo Bank, N.A., as Trustee of the Clara Poppic Trust ("Plaintiff") and
Defendant Ying Zhang ("Zhang"), hereby stipulate to extend the time for Zhang to answer or
otherwise respond to the First Amended Complaint filed in this action.

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1 The parties have not previously requested an extension of time for Zhang to respond to
2 the First Amended Complaint. Zhang will now have up to and including July 24, 2008 to file a
3 response.

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7 Dated: July ____, 2008

8 YING ZHANG
9 Defendant

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11 Dated: July 11, 2008

GREBEN & ASSOCIATES

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14 JIAN A. GREBEN
15 JENNA L. MOTOLA
16 Attorneys for Plaintiff Wells Fargo Bank, N.A.,
17 as Trustee of the Clara Poppic Trust
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1 The parties have not previously requested an extension of time for Zhang to respond to
2 the First Amended Complaint. Zhang will now have up to and including July 24, 2008 to file a
3 response.

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7 Dated: July 9, 2008

zhang ying

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9 YING ZHANG
Defendant

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11 Dated: July ____, 2008

12 GREBEN & ASSOCIATES

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15 JAN A. GREBEN
JENNA L. MOTOLA
16 Attorneys for Plaintiff Wells Fargo Bank, N.A.,
as Trustee of the Clara Poppic Trust

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18 IT IS SO ORDERED

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20 Edward M. Chen
21 U.S. Magistrate Judge

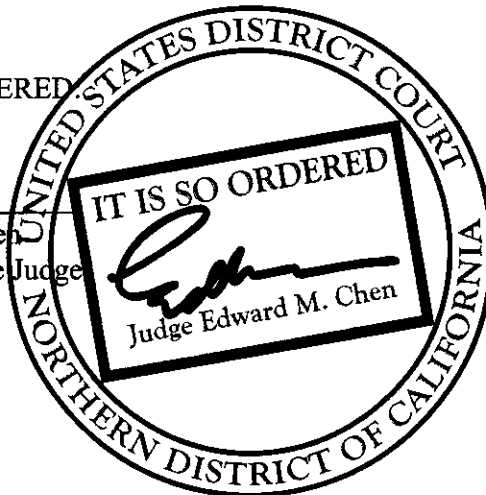


EXHIBIT “C”

GREBEN & ASSOCIATES

ATTORNEYS AT LAW

JAN ADAM GREBEN
jan@grebenlaw.com

JENNA L. MOTOLA
jenna@grebenlaw.com

ARLINGTON COURT
1332 ANACAPA STREET, SUITE 110
SANTA BARBARA, CALIFORNIA 93101
TELEPHONE 805-963-9090
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SACRAMENTO
WELLS FARGO CENTER
400 CAPITOL MALL, SUITE 1100
SACRAMENTO, CALIFORNIA 95814
TELEPHONE 916.447.4450
FACSIMILE 916.447.2414

July 28, 2008

VIA U.S. MAIL

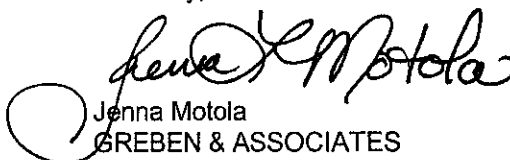
Ying Zhang
213 Brush Street
Alameda, CA, 94501

Re: **Wells Fargo v Renz et al**
Case No.: CV 08 02561 EMC

Dear Ying Zhang,

This letter is to advise you that your answer to the first amended complaint of Wells Fargo Bank, as trustee of the Clara Poppic Trust, in the above referenced matter, was due on July 24, 2008. We have attached a copy of the first amended complaint for your reference. If no answer is filed with the Court by August 1, 2008, we will have no choice but to enter your default in this matter. If you should have any questions, feel free to contact us.

Sincerely,



Jenna Motola
GREBEN & ASSOCIATES

JLM/bh
Enclosure